

by the newest process of dehydration, without the use of any harmful, artificial, or synthetic chemical or preservative and conform to the Pure Food Laws of the United States and its States \* \* \* makes a delicious, non-alcoholic, unfermented Grape Juice beverage with: Port, Sherry, or Malaga flavor (sweet tasting types) or Muscatel, Rhine, Burgundy flavor (dry tasting types);" (white cartons containing portion of "Rhine Type," "Malaga Type," and "Sherry Type") (clusters of grapes) "Vino Sano California Grape Bricks, Vino Sano Grape Bricks, with Port, Sherry, Rhine, Burgundy \* \* \* flavors \* \* \* Punch Juice \* \* \* Vino Sano Grape Juice, Port, Sherry or Angelica type \* \* \* Vino Sano Grape Brick, Rhine, Muscat or Burgundy type \* \* \* Grape liquids or berry juices \* \* \* Sweet Juices \* \* \* Vino Sano Grape Bricks contain the dehydrated contents of choice grapes \* \* \* freshly crushed grapes \* \* \* Vino Sano Grape Brick;" (yellow strip label accompanying portions of "Rhine Type," "Malaga Type," "Sherry Type," and "Burgundy Type") "Vino Sano Grape Bricks \* \* \* are the dehydrated substances as found in the choicest grapes \* \* \* from imported vines scientifically prepared by the newest process of dehydration \* \* \* they conform to the Pure Food Laws of the U. S. \* \* \* For making grape beverages. Each Vino Sano Grape Brick \* \* \* makes \* \* \* grape juice with Port, Sherry, or Malaga flavor \* \* \* or Rhine, Muscatel, Burgundy flavor \* \* \* For Port, Sherry, Malaga \* \* \* to every Vino Sano Grape Brick \* \* \* For Rhine, Burgundy and Muscat \* \* \* to every Vino Sano Grape Brick \* \* \* fruit juice \* \* \* of juice;" (portions of product) "Vino Sano Grape Bricks," "California Grape Bricks," "Rhine Type," "Malaga Type," "Sherry Type," "Port Type," "Burgundy Type," and "Muscat Type."

It was further alleged that portions of the "Rhine Type," "Malaga Type," "Sherry Type," and "Burgundy Type" were also misbranded in violation of section 8 of said act, paragraph third, as amended under "Drugs," in that the labels bore the statements, "for medicinal purposes \* \* \* the most effective mild cleansers of the digestive organs \* \* \* remedy \* \* \* digestive \* \* \* Vino Sano Port or Malaga juice in mild fermentation may be prescribed by doctors instead of other yeast treatment as well as in place of fermented milk treatments (Kefir, Yoghurt, Kumiss, etc.) in accordance with the Professor Mechnikoff theory, to eliminate from the system the bacilli senili (old age germs)," whereas the article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On May 10, and May 18, 1928, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**15865. Adulteration of chile peppers. U. S. v. 235 Sacks of Chile Peppers. Decree of condemnation entered. Product released under bond. (F. & D. No. 22721. I. S. No. 17769-x. S. No. 756.)**

On May 1, 1928, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and subsequently an amended libel, praying seizure and condemnation of 235 sacks of chile peppers, remaining in the original unbroken packages at San Antonio, Texas, alleging that the article had been shipped by the C. B. Gentry Chile Powder Co., from Los Angeles, Calif., on or about April 4, 1928, and transported from the State of California into the State of Texas, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel as amended that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On May 14, 1928, the C. B. Gentry Chile Powder Co., Los Angeles, Calif., and the Pure Food Products Co., Dallas, Texas, having appeared as claimants for the property, and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, conditioned in part that it should not be sold or disposed of in violation of the law, and it was further ordered by the court that the portion of the product determined by this department to be unfit for human consumption be destroyed. On May 17, 1928,

it having appeared that the product was unfit for human consumption, the said decree was modified to permit its use for chicken feed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**15866. Adulteration and misbranding of vinegar. U. S. v. 27 Barrels of Vinegar. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22678. I. S. No. 19707-x. S. No. 713.)**

On or about March 30, 1928, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 27 barrels of vinegar, remaining in the original unbroken packages at Devils Lake, N. Dak., alleging that the article had been shipped by the Red Wing Food Products Co., Red Wing, Minn., on or about September 21, 1927, and had been transported from the State of Minnesota into the State of North Dakota, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Apple Cider Vinegar Reduced to 4½ Per Cent Acidity 51 Gallon Packed for Lake Grocery Co."

It was alleged in the libel that the article was adulterated in that water and acid products other than apple cider vinegar had been mixed and packed therewith, so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement borne on the label, to wit, "Apple Cider Vinegar," was false and misleading in that the said statement represented that the article was pure apple cider vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure cider vinegar, whereas it was not, but consisted in part of water and acid products other than apple cider vinegar.

On May 14, 1928, the Red Wing Food Products Co., Red Wing, Minn., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold until relabeled and approved by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**15867. Adulteration of figs. U. S. v. 5 Cases of Figs. Default decree of condemnation entered. Product disposed of according to law. (F. & D. No. 22235. I. S. No. 17556-x. S. No. 291.)**

On December 2, 1927, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 cases of figs, remaining in the original unbroken packages at Los Angeles, Calif., consigned by Moskahlahdes Bros., New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about October 26, 1927, and had been transported from the State of New York into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Extra Fancy String Figs Crop 1923."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On January 27, 1928, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be disposed of by the United States marshal in accordance with the provisions of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**15868. Adulteration of canned cherries. U. S. v. 175 Cases of Canned Cherries. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22160. I. S. Nos. 19628-x, 19675-x. S. No. 212.)**

On November 23, 1927, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 175 cases of canned cherries, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Red Wing Co., Inc., from Fredonia, N. Y., August 30, 1927, and had been transported from the State of New York into the State of Minnesota,